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**Economic and social repercussions of the Israeli occupation on the living conditions of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and the Arab population in the occupied Syrian Golan**

# Economic and social repercussions of the Israeli occupation on the living conditions of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan

## Note by the Secretary-General

*Summary*

In its resolution 2017/30, entitled "Economic and social repercussions of the Israeli occupation on the living conditions of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and the Arab population in the occupied Syrian Golan", the Economic and Social Council requested the Secretary-General to submit to the General Assembly at its seventy-second session, through the Council, a report on the implementation of that resolution. The Assembly, in resolution 72/240 entitled "Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources", also requested the Secretary-General to submit a report to it at its seventy-third session. The present report, which was prepared by the Economic and Social Commission for Western Asia, has been submitted in compliance with the above-mentioned resolutions of the Council and the Assembly.

The report covers persistent Israeli practices and policies, particularly those which are in violation of international humanitarian law and international human rights law and which affect the social and economic conditions of people living under its military occupation.

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# I. Introduction

1. The Economic and Social Council, in its resolution 2017/30, and the General Assembly, in its resolution 72/240, expressed concerns about the economic and social repercussions of the Israeli occupation on the living conditions of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan, as well as the exploitation, damage, loss or depletion or endangerment of natural resources by Israel in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan.

2. The present note provides information on relevant developments with regard to the foregoing.

# II. Occupied Palestinian Territory

### Israeli practices in the Occupied Palestinian Territory

3. Palestinians in the occupied territory are subject to a complex combination of Israeli and Palestinian legal systems. In the West Bank, Israeli domestic law is applied extraterritorially to Israeli settlers, while Palestinians are subject to Israeli military law in addition to the Palestinian legal system. The resulting differentiation is particularly problematic as regards criminal matters. Lower human rights standards are applied to Palestinian suspects and defendants compared with Israeli suspects and defendants. The application of two different legal systems in the same territory, on the sole basis of nationality or origin, is inherently discriminatory and also violates the principle of equality before the law, which is central to the right to fair trial. The application of Israeli domestic law to settlers and of Israeli military law to Palestinians in the West Bank also raises concerns as to the obligation of the occupying Power to respect the laws in force in the territory it occupies, unless it is absolutely prevented from doing so.

4. Israeli planning and zoning policies, especially in East Jerusalem and Area C, which constitutes 60 per cent of the West Bank and in which 5 to 10 per cent of Palestinians reside, under full Israeli control, has been deemed restrictive, discriminatory and incompatible with international law.[1] Palestinians can plan and build legally on only 13 per cent of East Jerusalem. After the allocation of land for settlements, the demarcation of closed military zones and the takeover of land for the "barrier", only 30 per cent of Area C remains available for Palestinians. The Israeli Civil Administration permits construction by Palestinians on 0.4 per cent of Area C (see A/72/564, para. 32). Palestinians living there are often faced with nearly insurmountable Israeli obstacles to obtaining construction permits. The rate of approval of building permit applications for Palestinians in Area C during the period 2007–2016 was less than 4 per cent.[2]

### Excessive use of force and settler violence

5. Concerns persist regarding international standards, in particular for civilian demonstrators and stone throwers in the West Bank, and in access-restricted areas in the Gaza Strip. A general lack of accountability for violations by security and military

[1] See A/HRC/34/38, paras. 24, 39 and 40; A/72/90-E/2017/71, para. 4; A/72/564, para. 32; and State of Palestine, Palestinian Central Bureau of Statistics, "Preliminary results of the population, housing and establishments census 2017" (Ramallah, 2018), available from www.pcbs.gov.ps/Downloads/book2364-1.pdf.

[2] Office for the Coordination of Humanitarian Affairs, "2018 humanitarian needs overview: Occupied Palestinian Territory" (November 2017), endnote 22.

personnel exacerbates the situation, especially given that several incidents strongly suggest unlawful killing.[3] On 30 March 2018, 18 Palestinians were killed and more than 1,400 injured by the Israeli army, the majority during demonstrations close to the fence separating Gaza from Israel;[4] approximately 800 of the injuries reportedly resulted from live ammunition.[5]

6. Between 1 April 2017 and 31 March 2018, 80 Palestinian civilians, including 3 women and 17 children, were killed by the Israeli army, the security apparatus or settlers, while 12,188 Palestinian civilians were injured, including 419 women and girls and 2,095 children.[6] A number of the casualties had been involved or allegedly involved in attacks against Israelis. During the same period, 16 Israelis were killed and 119 were injured.

7. On 7 March 2018, the Israeli Knesset passed an amendment to the Counter-Terrorism Law granting police commanders the authority to withhold the bodies of Palestinians killed while committing an attack against Israelis, or suspected of doing so, and to set conditions for returning bodies for burial if it is determined that there is reason to fear that, as a result of the funeral, a terrorist attack might be committed, lives might be at risk or the funeral would be used as a platform to praise terror attacks.[7]

*Settler-related violence*

8. Palestinians continued to suffer from settler violence and harassment during the reporting period. Settler violence continued to impede the ability of Palestinian population affected to exercise numerous human rights (see A/HRC/37/43, para. 23). After steadily declining since 2013, violent incidents between Israeli settlers in the West Bank and Palestinians sharply increased in 2017 compared with 2016. There were 180 attacks by settlers reported between 1 April 2017 and 31 March 2018.[6]

9. An increase was recorded in the indictment rate in files opened regarding settler violence between 2014 and 2017,[8] driven at least in part by increased law enforcement and prosecution efforts. Nevertheless, Israel continued to fail to do its utmost to investigate cases of settler violence and prosecute perpetrators (see A/HRC/37/43, para. 23).

10. Palestinians victims of crimes perpetrated by Israelis in the West Bank often choose not to file complaints with the Israeli Police; such offences are usually not investigated.[9] Cases in which settlers attacked Palestinians and their property in the presence of, or even accompanied by, Israeli security forces continued to be documented (see A/72/564, paras. 17–22).

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[3] See A/72/565, paras. 6–16 and 51; see also Amnesty International, *Amnesty International Report 2017/18: The State of the World's Human Rights* (London, 2018), p. 207.

[4] Office for the Coordination of Humanitarian Affairs, "Humanitarian bulletin: Occupied Palestinian Territory" (March 2018).

[5] International Committee of the Red Cross, "The troubling (and rising) human toll in Gaza" (5 April 2018). Available from www.icrc.org/en/document/gaza-troubling-human-toll.

[6] Office for the Coordination of Humanitarian Affairs, monthly figures database, available from www.ochaopt.org/content/monthly-figures (accessed on 17 March 2018).

[7] Knesset, "Knesset passes law granting police the authority to hold terrorists' bodies", press release (8 March 2018). Available from www.knesset.gov.il/spokesman/eng/PR_eng.asp?PRID=13804.

[8] Yesh Din, "Data sheet, December 2017: law enforcement on Israeli civilians in the West Bank – Yesh Din monitoring update 2005–2017", p. 4. Available from www.yesh-din.org/en/data-sheet-december-2017-law-enforcement-israeli-civilians-west-bank; and "Increase in settler violence during the first half of 2017" in Office for the Coordination of Humanitarian Affairs, "Humanitarian bulletin: Occupied Palestinian Territory" (July 2017), available from www.ochaopt.org/content/increase-settler-violence-during-first-half-2017.

[9] Ibid, p. 2.

**Detention and ill-treatment**

11. As of the end of February 2018, at least 5,890 Palestinians were being held as "security detainees" or serving a sentence in Israeli prisons,[10] including 356 children[11] and 61 women.[12] Grave concerns over the detention of Palestinian children remain, since such detention must be used as a last resort and for the shortest period possible.[13]

12. As of the end of February 2018, 427 Palestinians were being held in administrative detention, including 4 children.[14] Between 1967 and 2014, the Israeli authorities issued more than 50,000 administrative detention orders. As of July 2017, there were at least 449 administrative detainees in Israeli prisons who were being held without charge or trial for an indefinite period of time.[15] Resort to administrative detention must be consistent with the obligations of Israel under international human rights law and with the exceptional nature of internment permitted under article 78 of the Geneva Convention relative to the Protection of Civilian Persons in Time of War.

13. Most Palestinian prisoners and detainees are held in facilities outside the Occupied Palestinian Territory. International humanitarian law forbids the transfer of protected persons, including those accused of offences, to the territory of the occupying Power. This practice makes it difficult or impossible for families to visit the detainees (see A/72/565, para. 38).

14. As stated last year in a note by the Secretary-General, the Committee against Torture expressed concern about a number of Israeli practices towards Palestinian detainees, including minors. Such practices include deprivation of basic legal safeguards for administrative detainees, isolation and solitary confinement of detainees, including minors, punishment and ill-treatment of hunger strikers, torture or ill-treatment of Palestinian children and the hindering of visits of relatives for child prisoners. The Committee also expressed concern about information it had received to the effect that there was no proper accountability for torture and ill-treatment (see A/72/90-E/2017/71, para. 18; see also CAT/C/ISR/CO/5, paras. 22, 24, 26, 28 and 30). No criminal investigations have been opened into the more than 1,000 complaints of torture and ill-treatment filed since 2001.[16] Complaints of torture or ill-treatment involve the Israel Security Agency in particular. Although the number of complaints involving the Agency has quadrupled since June 2013, none has led to a criminal investigation (see A/HRC/WG.6/29/ISR/2, para. 23; see also A/HRC/31/40, paras. 47 and 48; A/HRC/34/38, paras. 48–50; and A/71/364, paras. 58–60). Nevertheless, five indictments were issued against Israeli soldiers suspected of having harmed Palestinian detainees while they were handcuffed and in custody.[17]

[10] Excluding those held in military prisons.

[11] B'Tselem, statistics on Palestinians in the custody of the Israeli security forces database, available from www.btselem.org/index.php/statistics/detainees_and_prisoners (accessed on 3 April 2018).

[12] Addameer, Statistics database, available from www.addameer.org/statistics (accessed on 8 March 2018).

[13] Information received from the United Nations Children's Fund (UNICEF).

[14] B'Tselem, statistics on administrative detention database, available from www.btselem.org/index.php/administrative_detention/statistics (accessed on 3 April 2018).

[15] Addameer, "Ten facts on administrative detention" (12 February 2014). Available from www.addameer.org/publications/ten-facts-administrative-detention.

[16] Amnesty International, *Amnesty International Report 2017/18*, p. 209; see also A/HRC/37/42.

[17] Yesh Din, "Data sheet, January 2017: law enforcement on Israeli soldiers suspected of harming Palestinians — figures for 2015", p.11. Available from https://s3-eu-west-1.amazonaws.com/files.yesh-din.org/2016+דצמבר+מצח+נתונים+דף/YeshDin+-+Data+1.17++-+English.pdf.

**Destruction and confiscation of property and infrastructure**

15. Continued demolitions by Israel and the resulting forced evictions of Palestinians are key factors contributing to a coercive environment in the West Bank, including East Jerusalem, in which specific circumstances may leave no other choice to individuals or communities but to leave.[18] Demolitions and the resulting forced evictions often constitute grave violations of human rights law (see A/72/564, para. 49) and international humanitarian law, which prohibits the destruction or confiscation of private property (see A/HRC/37/43, para. 33).

16. Between April 2017 and March 2018, the Israeli authorities demolished more than 310 Palestinian structures, a decline from the previous reporting period. The total number of demolished structures is 5,413 since 2009, including 2,009 residential and 917 donor-funded structures.[19] 2017 witnessed the second largest number of Israeli demolitions of Palestinian structures in East Jerusalem since 2000, although lower than in 2016, when 190 demolitions were recorded.[20]

17. Israeli authorities cite the lack of building permits, which are nearly impossible to obtain, to justify the demolition of Palestinian homes (see A/72/564, paras. 23–25). By the end of 2017, there were more than 13,000 demolition orders pending against Palestinian property in Area C.[21]

18. During the reporting period, Israeli authorities carried out nine punitive demolitions[19] of family homes of Palestinians suspected of having carried out attacks, a measure that may amount to collective punishment prohibited under international humanitarian law and international human rights law (see A/72/565, paras. 18–27).

19. Furthermore, as of September 2017, 66 cases of demolitions and confiscation related to agricultural structures or assets, and 39 cases related to food assistance, had been recorded for 2017.[22]

20. Confiscation of property by Israel as a punitive measure against neighbours of Palestinians suspected of having attacked Israelis may also amount to collective punishment (see A/72/565, paras. 23–27). Over one third of Area C is formally designated as public land (referred to as "State land" by Israel). The vast majority of "State land" declarations took place before the start of the Oslo peace process in the early 1990s. It is estimated that between 750 $km^2$ and 900 $km^2$ were declared "State land" by Israel between 1979 and 1992. "State land" has been allocated exclusively for use by Israel and its citizens, rather than for the benefit of the local population.

**Population displacement**

21. There is continued concern that the combination of State-sanctioned land seizures, retroactive legalization of settler outposts, demolition of Palestinian homes and livelihood structures, denial of Palestinian building permits, restrictions on movement and access to livelihoods, and settler violence and a lack of accountability for such violence to contribute to the creation of a coercive environment in areas under full Israeli control, propelling Palestinians to move out of certain parts of Area C and East Jerusalem. Involuntary displacement and relocation to alternative

[18] See A/72/564, para. 27; see also Office for the Coordination of Humanitarian Affairs, "2018 humanitarian needs overview", annex I (protection).

[19] Office for the Coordination of Humanitarian Affairs, demolitions and displacement database. See www.ochaopt.org/page/demolition-system (accessed on 12 March 2018).

[20] Office for the Coordination of Humanitarian Affairs, "Humanitarian bulletin: Occupied Palestinian Territory" (December 2017).

[21] Office for the Coordination of Humanitarian Affairs, "2018 humanitarian needs overview", endnote 22.

[22] Ibid, p. 11.

residential areas, as a result of such policies, may amount to forcible transfer if it is carried out without the free and informed consent of the individuals who relocate, in violation of the obligations of Israel under international humanitarian and human rights law. Forcible transfer is a grave breach of the Fourth Geneva Convention and amounts to a war crime.[23]

22. During the reporting period, 448 Palestinians were displaced after home demolitions in the West Bank, including East Jerusalem, marking a sharp decline compared to 1,263 and 1,162 people displaced during the two previous reporting periods, respectively. The total number of Palestinians displaced as a result of home demolitions since 2009 amounts to 8,681 people, including 4,528 children.[19]

23. As a result of the planning regime, at least one third of all Palestinian households in East Jerusalem lack a building permit issued by Israel, which places 100,000 residents at risk of displacement.[20]

24. This and the strict residency regime for East Jerusalem and restrictions on family reunification involving residents of East Jerusalem and other parts of the Occupied Palestinian Territory contribute to the displacement of Jerusalemite Palestinians (see A/HRC/37/43, paras. 55 and 63).

25. Between 1967 and May 2017, Israel revoked the Jerusalem residency status of 14,595 Palestinians.[24] On 7 March 2018, the Israeli Knesset passed an amendment to the Entry into Israel Law that allows the Interior Minister to revoke the permanent residency of Palestinians in East Jerusalem who have committed terrorist activities, treason or espionage, as defined under Israeli law, or "acts that constitute breach of trust against the State of Israel".[25]

26. Lawsuits based on a claim of previous Jewish ownership have also been a frequent strategy for settler organizations to acquire property in East Jerusalem. Since 2004, there has been an increase in settler takeover in neighbourhoods surrounding the Old City, through purchase and claims of prior ownership before 1948 (see A/HRC/37/43, para. 40). With proceedings under way, 180 Palestinian families were at risk of eviction from their homes in East Jerusalem in 2017 as a result of legal action by settlers.[26]

27. Displacement of Jerusalemite Palestinians is evidenced by the growing population of East Jerusalem neighbourhoods behind the "barrier" in the West Bank, where rent is lower and restrictions on housing expansion fewer. It is the only place where Palestinians with residency status in Jerusalem can live with spouses from the West Bank without losing their status. These neighbourhoods suffer from lack of essential services and basic infrastructure, however (see A/HRC/37/43, para. 56). Palestinians living in those neighbourhoods also have to pass through Israeli checkpoints to enter Jerusalem.

28. An additional factor contributing to the creation of a coercive environment in Area C is the plan to evict and relocate Bedouin and herder communities, including approximately 7,500 persons belonging to 46 Bedouin communities, most of them

[23] See A/72/564, paras. 27 and 36; see also A/HRC/34/38, paras. 27–28; A/HRC/31/43, paras. 44, 46 and 50–60; A/HRC/24/30, paras. 28–29; A/68/513, paras. 30–34; A/HRC/25/38, paras. 11–20; A/HRC/28/80, para. 24; and A/69/348, para. 13.

[24] Association for Civil Rights in Israel, "East Jerusalem: facts and figures 2017" (21 May 2017).

[25] Knesset, "Knesset passes legislation authorizing interior minister to revoke permanent residency status over involvement in terrorism", press release (7 March 2018). Available from www.knesset.gov.il/spokesman/eng/PR_eng.asp?PRID=13803.

[26] Office for the Coordination of Humanitarian Affairs, "2018 humanitarian needs overview", pp. 9 and 10.

refugees, who are at particular risk (ibid., paras. 24 and 25; see also A/72/564, para. 36).

29. In Gaza, by November 2017, approximately 23,500 Palestinians remained displaced as a result of the 2014 conflict owing to Israeli restrictions on the entry of reconstruction materials and limited reconstruction funding.[27]

**Israeli settlement activity**

30. Israeli settlement activity in the Occupied Palestinian Territory violates a number of Security Council resolutions, including resolution 2334 (2016), in which the Council reaffirmed that the establishment by Israel of settlements in the Palestinian territory occupied since 1967, including East Jerusalem, had no legal validity and constituted a flagrant violation under international law and a major obstacle to the achievement of the two-State solution and a just, lasting and comprehensive peace. Such settlements also have a serious impact on the human rights of the Palestinian people (see A/72/564, para. 4).

31. The Israeli settler population has more than doubled since the Oslo Accords in 1993: by the end of 2016, there were almost 600,000 persons living in more than 227 settlements, 97 of which had been established without formal authorization by the Government of Israel and labelled as "outposts".[28] Israeli settlements and areas associated with them cover 40 per cent of the total area of the West Bank.[29]

32. In recent years, the growth rate of the Israeli settler population has surpassed that of both the overall population of Israel and the Palestinian population in the West Bank.[30] Policies of the Government of Israel support population growth in the settlements through State-led public services, incentives and preferential treatment (see A/72/90-E/2017/71 and A/71/86-E/2016/13). The United Nations High Commissioner for Human Rights indicated that Israeli policies regarding the settlements amounted to the "transfer by Israel of its population into the Occupied Palestinian Territory, which is prohibited under international humanitarian law".[31]

33. Israeli settlements remain one of the drivers of displacement and forced evictions. Measures that accompany the construction of settlements often can hinder the mobility of Palestinians, including access to their own agricultural lands. Palestinians living in the vicinity of settlements are subjected to an increase in tensions and violence in view of the presence of not only settlers, but also Israeli soldiers and security forces to ensure the safety of settlers. They may also suffer from the collective punishment imposed on them in response to any attack against Israelis (see A/HRC/37/43, paras. 15 and 45–54).

34. In May 2017, Israeli authorities formally approved the establishment of a new settlement in Area C for the first time since 1992, notwithstanding the establishment of other settlements through the retroactive legalization of outposts. The new settlement in Area C was established for settlers evicted from outposts.[32]

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[27] Ibid., p. 7.

[28] B'Tselem, "Settlements" (11 November 2017), available from www.btselem.org/settlements; and Peace Now, "Settlement watch" database, available from http://peacenow.org.il/en/settlements-watch/settlements-data (accessed on 14 March 2018).

[29] B'Tselem, "Settlements".

[30] Information received from the United Nations Conference on Trade and Development; and B'Tselem, "Settlements".

[31] See A/HRC/37/43, para. 69; and Fourth Geneva Convention, art. 49 (6).

[32] See A/72/564, para. 6; see also Peace Now, "Jurisdiction of the new settlement 'Amihai' approved" (30 May 2017), available from http://peacenow.org.il/en/jurisdiction-new-settlement-amihai-approved; and A/HRC/37/43, paras. 8 and 15–17.

35. On 8 February 2017, the Knesset adopted the Law for the Regularization of Settlement in Judea and Samaria, authorizing the continued use of privately owned Palestinian land previously confiscated for settlement purposes. It was the first time that the Knesset had extended its jurisdiction to matters concerning the private property of Palestinians living under Israeli military occupation (see A/72/564, paras. 14 and 15).

**Movement and access restrictions**

*Gaza closure*

36. Nearly 2 million Palestinians in Gaza continue to suffer from the impact of successive military escalations, compounded by tightened closures following the takeover by Hamas of the Gaza Strip in 2007. The blockade may amount to collective punishment, which is prohibited by international law (see A/72/565, para. 28). It continues to undermine the civil, political, economic, social and cultural rights of Palestinians in Gaza (see A/HRC/34/38, para. 29; A/71/364, paras. 28–29; A/70/421, paras. 15–22; and A/HRC/31/44, paras. 40 and 43).

37. Following the 2014 hostilities, Israel introduced measures that eased the movement of people and goods into and out of the Gaza Strip. Nevertheless, the requirement by Israel to coordinate and monitor the entry of crucial raw materials deemed as "dual-use" items, the temporary restrictions on the entry of cement and other materials needed for reconstruction, and the recurring interrogations and confiscations or withdrawals of permits for traders and merchants continue to have a detrimental effect on the economic, social and humanitarian situation in the Gaza Strip (ibid.).

38. In 2017, the number of exits through the Israeli-controlled Erez crossing dropped by almost 50 per cent compared with the previous year, reaching the lowest rate since 2014. Israeli authorities also required Gaza residents travelling abroad to sign a waiver pledging not to return using the same route for a year, i.e. they would therefore be able to return earlier only through the Rafah crossing. In some cases, travellers were detained at the crossing until they signed the commitment.

39. Moreover, the number of valid permits issued for traders as of December 2017 was 551, compared with between 3,500 and 3,700 in late 2015.[30,33]

40. The approval rate for medical patients allowed through the Erez crossing declined to 54 per cent in 2017, compared with 93 per cent in 2012.[34] In some instances, patients who had been granted permits to cross at Erez for medical treatment outside Gaza were reportedly stopped at the crossing if they did not cooperate when being stopped by Israeli security forces and asked to provide information about armed groups or relatives allegedly affiliated with armed groups in Gaza (see A/72/565, para. 32).

41. The Rafah border crossing largely remained closed by the Egyptian authorities in 2017, except on limited occasions (ibid., para. 29).

[33] Office for the Coordination of Humanitarian Affairs, "Gaza crossings: movement of people and goods" database, available from www.ochaopt.org/page/gaza-crossings-movement-people-and-goods; see also Gisha: Legal Center for Freedom of Movement, "2017: tightening of the closure — a round-up of 10 recent measures imposed by Israel further limiting movement of people to and from Gaza", available from www.gisha.org/UserFiles/File/2017Tightening_of_the_closure.pdf; and Amira Hass, "Israel to let Gazans leave via West Bank — as long they don't return for at least 12 months", *Haaretz*, 10 March 2016, available from www.haaretz.com/israel-news/.premium-gaza-residents-allowed-to-travel-as-long-as-they-stay-away-1.5415467.

[34] Information received from the World Health Organization (WHO).

42. The Gaza Reconstruction Mechanism has played a crucial role in facilitating the import of construction materials into the Gaza Strip but has been less successful in facilitating the import of "dual-use" materials critical for public works projects.[35] Nevertheless, approvals of large projects and the import of dual-use items have increased in 2018.[36]

43. Citing security concerns, the Israeli army has also enforced "access-restricted areas" along the border fence with Israel and at sea, significantly undermining the right of Palestinian fishermen and farmers to a livelihood (see A/HRC/34/38, para. 29; A/70/421, paras. 30–38; and A/HRC/31/44, para. 43). Officially, the Israeli authorities impose a "no go" area of up to 100 m from the perimeter fence and up to 200 m for heavy machinery. Nevertheless, humanitarian organizations have reported that in practice up to 300 m from the perimeter fence is considered by most farmers as a "no go" area and up to 1,000 m is considered a "high risk" area.[37]

44. While sea restrictions have varied, Israel, citing security concerns and attempts to smuggle weapons by sea and conduct attacks using boats,[38] imposes a fishing limit at 6 nautical miles, less than one third of the 20 nautical miles allocated for fishing under the Oslo Accords. The limit is expanded to 9 nautical miles during the sardine season.[39]

*Movement restrictions in the West Bank*

45. Administrative, bureaucratic and physical constraints hamper the movement of Palestinians in the West Bank and undermine economic activity, access to basic services and the delivery of aid and relief, and undermine freedom of movement (see A/HRC/31/44, paras. 12–21).

46. Israel continues to construct the "barrier" in the West Bank. About 65 per cent of its route has been completed. Approximately 85 per cent of the current 712 km planned route lies within the West Bank rather than along the 1949 Armistice Line (the Green Line),[40] contrary to the 2004 advisory opinion of the International Court of Justice, which states that "the construction of the wall being built by Israel, the occupying Power, in the Occupied Palestinian Territory, including in and around East Jerusalem, and its associated regime, are contrary to international law" (see A/ES-10/273 and A/ES-10/273/Corr.1). Another 53 km (7.5 per cent) of the "barrier" is under construction. If construction is completed along the entire planned route, about 9.4 per cent of the West Bank would be isolated between the wall and the Green Line and up to 25,000 Palestinians could be added to the 11,000 Palestinians already isolated in the seam zone[41] as of November 2017, many of whom are consequently encountering difficulties in accessing the rest of the West Bank.[42]

47. According to an Israeli local government audit, 140,000 Palestinians live in the eight neighbourhoods within the borders of the Jerusalem municipality as defined by

[35] Office for the Coordination of Humanitarian Affairs, "2018 humanitarian needs overview", p. 7.
[36] Information received from the Office of the Special Coordinator for the Middle East Peace Process.
[37] Office for the Coordination of Humanitarian Affairs, "2018 humanitarian needs overview", p. 5.
[38] Judah Ari Gross, "Shin Bet, IDF thwart Islamic Jihad attack on navy boats off Gaza coast", *Times of Israel*, 4 April 2018. Available from www.timesofisrael.com/shin-bet-idf-thwart-islamic-jihad-attack-on-navy-boats-off-gaza-coast.
[39] Office for the Coordination of Humanitarian Affairs, "Humanitarian bulletin: Occupied Palestinian Territory", special edition, May–June 2017.
[40] Office for the Coordination of Humanitarian Affairs, "Occupied Palestinian Territory: humanitarian facts and figures" (December 2017), p. 10.
[41] The area that lies between the wall and the Armistice Line of 1949.
[42] B'Tselem, "The separation barrier" (11 November 2017). Available from www.btselem.org/separation_barrier.

the Israeli authorities but are separated from the rest of East Jerusalem by the "barrier". These neighbourhoods suffer from a lack of basic infrastructure, municipal services and law enforcement, and from poor living conditions, although the communities themselves are under the authority of the municipality of Jerusalem and pay municipal taxes. The "barrier" also impedes freedom of movement and access to education and municipal services in these neighbourhoods (see A/HRC/37/43, paras. 38 and 58).

48. Regarding the impact of the "barrier" on the health situation, in 2017, 12 per cent of patient applications and 18 per cent of patient companion applications from the West Bank to access East Jerusalem or Israel were denied. Direct access for ambulances remains problematic, with ambulances delayed for security checks. About 90 per cent of the 2,125 Palestinian Red Crescent Society ambulances entering Jerusalem from other parts of the West Bank every year are forced to transfer patients to another ambulance at checkpoints, which delays transit.[43]

49. Moreover, by the end of January 2017 in a number of regions in the West Bank, about 60 km of West Bank roads were designated for exclusive, or near-exclusive, use by Israeli citizens and off limits to Palestinians.[44] Firing zones for military training purposes in the West Bank cover approximately 17.5 per cent of its total area and 29 per cent of Area C, also putting constraints on movement (see A/72/564, para. 41).

50. Farmers in 90 Palestinian communities own land within or in close proximity to 56 Israeli settlements. Those farmers can access their land only by means of "prior coordination" with the Israeli authorities, which usually grant access for only a limited number of days during the harvest and ploughing seasons. During the 2017 olive harvest season, as in previous years, many Palestinian farmers reported that the time allocated was insufficient, or that the Israeli army did not arrive at the designated time to allow them to access their land, leaving farmers insecure and vulnerable to attacks by settlers.[45]

51. Special permits or "prior coordination" is also required for Palestinian farmers to access farm land designated as "closed" in the seam zone. If they are granted approval, farmers must cross designated gates along the "barrier" or checkpoints in order to reach their land. During the 2017 olive harvest, 76 gates were designated for agricultural access, down from 84 gates the previous year (see paras. 68–72 below).[46]

52. According to a 1997 agreement between Israel and the Palestine Liberation Organization, the Israeli army maintains control of more than 20 per cent of Hebron city, an area referred to as the H2 zone, which is home to approximately 40,000 Palestinians and a few hundred Israeli settlers living in five settlement compounds. Israelis cannot access H1 areas of Hebron.[47]

53. Israel has implemented severe movement restrictions in the H2 zone and surrounding areas, citing security concerns and attacks by Palestinians. It has erected more than 100 obstacles, including 20 staffed checkpoints, and segregated the settlement area and its surroundings from the rest of the city. This has had an impact on the freedom of movement of the entire Palestinian population of the H2 zone, as well as of other residents of Hebron city. The resulting extraordinary economic, social

[43] Information received from WHO.

[44] Yesh Din, "Through the lens of Israel's interests: the civil administration in the West Bank", position paper (December 2017), p. 14; and A/71/86-E/2016/13, para. 5.

[45] Office for the Coordination of Humanitarian Affairs, "Humanitarian bulletin: Occupied Palestinian Territory" (November 2017).

[46] Ibid.

[47] Office for the Coordination of Humanitarian Affairs, "The humanitarian impact of Israeli settlements in Hebron city" (February 2018).

and humanitarian challenges have created displacement pressures for Palestinians living there.[48] Movement restrictions, attacks and intimidation by Israeli settlers, and a lack of adequate law enforcement concerning violent settlers, have resulted in the displacement of Palestinians from their homes in Hebron city.[47] Between April 2017 and January 2018, 252 access-related incidents in the West Bank were reported by the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA). Those incidents resulted in the loss of an estimated 1,222 individual workdays or 9,175 work-hours. This affects the delivery of education, health and relief services to the Palestine refugees.[49]

**Exploitation, endangerment and depletion of Palestinian natural resources**

*Water*

54. Water shortages continue to disrupt daily life and impede development interventions in the West Bank and Gaza Strip. About 1.8 million Palestinians are in need of humanitarian water, sanitation and hygiene assistance.[50]

55. Owing to the restrictive planning regime, communities in Area C have limited ability to repair, rehabilitate or construct basic water and sanitation infrastructure at the community or household level, resulting in insufficient water for drinking, domestic use and livestock consumption in many communities. Altogether, in Israeli-controlled Area C and Palestinian-controlled Areas A and B, and also as a result of the poor state of the pipelines linking Palestinian communities in the West Bank and of the water grids within Palestinian cities and villages, one third of all water supplied through the grid to the Palestinians is lost through leakage.[51]

56. Twenty-two per cent of the West Bank Palestinian population — 649,000 people — suffer from either lack of access to water or poor quality of water. Around 156,000 people are either not connected to a water network or receive water less than once a week.[52]

57. In Area C, around 95,000 people receive less than 50 litres of water per capita per day, half of the minimum recommended by the World Health Organization (WHO).[53] Those include around 20,000 people living in Bedouin or herding communities in dwellings that the Israeli authorities consider "illegal" and who have access to only about 30 litres per day at a cost 10 times higher than through the network.[54]

58. Palestinians are also forced to rely on pumping and storing water at exorbitant cost, as they are not allowed to use the water pipes that run in close proximity to their villages that supply the settlements.[55]

59. Between January and November 2017, Israeli authorities demolished or seized 19 structures related to water, sanitation and hygiene in Area C of the West Bank,

[48] Office of the Special Coordinator for the Middle East Peace Process, "Report to the Ad Hoc Liaison Committee" (20 March 2018).
[49] Information received from UNRWA.
[50] Office for the Coordination of Humanitarian Affairs, "2018 humanitarian needs overview", p. 27.
[51] Ibid., pp. 11 and 27.
[52] Ibid.
[53] Ibid., p. 29.
[54] Information received from UNICEF.
[55] Association for Civil Rights in Israel, "Between the green line and the red line", in "50 years: a State without borders — people without human rights", available from www.acri.org.il/campaigns/50yearsen.

including cisterns, water pipes and mobile latrines, claiming that they had been installed without permits.[56]

60. In East Jerusalem, only 59 per cent of Palestinian residents are connected legally to the water grid. Palestinians suffer from substandard water and sewage connections owing to the ongoing lack of proper planning and allocation of resources for their neighbourhoods.[57]

61. Ongoing deficits in the water, sanitation and hygiene sector affect all 2 million people in the Gaza Strip.[56,58] About 40 per cent of water supplied for domestic use is lost on the way to consumers owing to the poor condition of the infrastructure.[59]

62. Wastewater contamination and overpumping has rendered more than 95 per cent of the water extracted from the Gaza coastal aquifer unfit for human consumption. At its present rate of deterioration, the damage to the aquifer is expected to be "irreversible" by 2020. Increased electricity cuts have exacerbated the situation. About 90 per cent of people in Gaza rely on purchasing desalinated water from private companies, which entails heavy financial burdens on already impoverished families and increases health risks owing to potential contamination.[60]

63. Merely 10.4 per cent of the population in Gaza has access to improved drinking water sources,[61] with less than 50 litres of water available per person per day, half the minimum international standard.[62] No single person obtains the WHO recommended amount of water of 100 litres per capita per day.

64. According to 2016 figures from the Palestinian Water Authority, 98 million cubic metres of water were supplied for domestic use in Gaza, from different sources. Only 18 per cent of the water supplied from those sources was safe for drinking.[63]

65. Recent efforts are being made to address some of the water challenges, notably the resumption of the meetings of the Joint Water Committee and the start of the North Gaza Emergency Sewage Treatment project for the West Bank and Gaza. Some progress has also been made on the Red Sea-Dead Sea Canal project.

*Pollution*

66. The deterioration in infrastructure and electricity supply to Gaza has had severe consequences for the operation of water treatment facilities, wastewater pumping stations and drinkable piped water.[64] A quarter of the population is not connected to the sewage network and pollution levels are now four times higher than the

[56] Office for the Coordination of Humanitarian Affairs, "2018 humanitarian needs overview", pp. 28 and 29. Water, sanitation and hygiene vulnerability is based on community needs assessment conducted by Action Against Hunger and Gruppo di Volontariato Civile, in cooperation with the Palestinian Water Authority and the Palestinian Hydrology Group.

[57] Association for Civil Rights in Israel, "East Jerusalem: facts and figures 2017", pp. 4–5.

[58] United Nations, "Gaza ten years later: United Nations country team in the Occupied Palestinian Territory" (July 2017).

[59] B'Tselem, "Water crisis" (11 November 2017). Available from www.btselem.org/water.

[60] Office for the Coordination of Humanitarian Affairs, "2018 humanitarian needs overview", pp. 8 and 27.

[61] Economic and Social Commission for Western Asia (ESCWA), based on the 2014 multiple indicator cluster survey.

[62] Information received from UNICEF.

[63] Information received from the Food and Agriculture Organization of the United Nations (FAO).

[64] Office for the Coordination of Humanitarian Affairs, "2018 humanitarian needs overview", p. 28, based on Office for the Coordination of Humanitarian Affairs, "Gaza crisis: early warning indicators — June 2017, available from www.ochaopt.org/sites/default/files/gaza_indicators_final.pdf.

environmental health standard.[65] About 108 million litres of raw or poorly treated wastewater are discharged into the Mediterranean Sea from Gaza every day and 73 per cent of the shoreline is contaminated by sewage.[58]

67. Official Palestinian sources have claimed that practices by Israeli authorities and settlers, including the illegal transfer of hazardous waste to the West Bank and the allocation of parts of the Jordan Valley to an Israeli dumpsite devoted to industrial waste, have gravely damaged Palestinian agricultural land, health, animals and biodiversity.[66]

*Access to agricultural land*

68. The ability of Palestinians to access and utilize agricultural land is compromised by various factors, including movement restrictions, land confiscations and settler violence.

69. Restrictions hamper access by Palestinians to lands in the seam zone and in the vicinity of settlements, impeding essential year-round agricultural activities and affecting productivity and value in the olive sector. For example, the yield of olive trees in the seam zone was reduced by between 55 and 65 per cent over the past four years, compared with similar trees in areas that can be accessed all year round.[45]

70. According to the Palestinian Ministry of Agriculture and Rural Development damage database, the uprooting, burning and destruction of trees and other crops, the demolition of the structures and the implementation of stop orders in 2017 resulted in almost $2 million worth of damage.[67]

71. During the 2017 olive harvest season alone (from mid-September until mid-November), a total of 5,582 Palestinian-owned olive trees were damaged by settlers, compared with 1,652 trees during the 2016 season. In one instance, Palestinian farmers reported that, when they were granted permission to visit their land, they found that the produce of 3,200 olive trees had been harvested and stolen.[45]

72. The agricultural sector in Gaza, including farmers, herders, breeders and fishermen, continued to suffer in 2017 from reduced productive capacity and instability of income despite the slow increase in exports since the end of the 2014 hostilities.[68] The restoration of land, irrigation systems, greenhouses, soil fertility and fruit orchards has been slow, resulting in dependency on short-term assistance. Delays in and limitations on the import of products such as pipes and timber imposed under the dual-use regime also have a negative effect on agriculture.[69]

*Exploitation of mineral resources*

73. Since the 1970s, Israeli companies and corporations have been granted permits to quarry natural resources in the Occupied Palestinian Territory. According to official Israeli data from 2010, eight Israeli-owned and eight Palestinian-owned quarries were

[65] Abeer Abu Shawish and Catherine Weibel, "Gaza children face acute water and sanitation crisis" (UNICEF, 1 September 2017). Available from www.unicef.org/wash/oPt_100684.html.

[66] See A/72/90-E/2017/71, para. 61; and Adam Aloni, *Made in Israel: Exploiting Palestinian Land for Treatment of Israeli Waste* (B'Tselem, 2017), conclusions, available from www.btselem.org/publications/summaries/201712_made_in_israel.

[67] Information received from FAO based on data obtained January 2018 from the Palestinian Ministry of Agriculture and Rural Development.

[68] According to the Office for the Coordination of Humanitarian Affairs, in 2017 a total of 2,621 truckloads of goods were transferred out of Gaza compared with 2,132 truckloads in 2016. See Office for the Coordination of Humanitarian Affairs, "Gaza crossings: movement of people and goods" database.

[69] Office for the Coordination of Humanitarian Affairs, "2018 humanitarian needs overview", pp. 35 and 36.

then active in Area C of the West Bank, transferring 94 per cent and 80 per cent of their production to Israel, respectively.[70]

74. According to the Union of Stone and Marble Producers in the West Bank, no new permits have been issued to Palestinian companies to open quarries in Area C since 1994, even though the Oslo Accords provided for this. Moreover, many previous permits have expired. Consequently, only a very small number of quarries are still operating in Area C. Quarry closures have been accompanied by equipment confiscation and fines.[71]

**Socioeconomic conditions in the Occupied Palestinian Territory**

75. Ending the occupation is the single most important factor in enabling Palestinians to chart a successful course to achieving the Sustainable Development Goals. Around 2.5 million Palestinians, half the population, need humanitarian assistance.[72]

76. The United Nations country team in the Occupied Palestinian Territory has estimated that, owing to the closure, recurrent military operations and internal Palestinian divisions, Gaza will become unliveable by 2020. The team has also estimated that, without international aid and services provided by the United Nations, the Gaza Strip would have been deemed unliveable years ago. In any event, the downward trend remains clear.[58]

77. About 80 per cent of Palestinians in Gaza receive aid, including food assistance that enables scarce cash resources to be spent on other essentials, preventing a further deterioration of food security and livelihood status and reducing the impact of negative coping mechanisms.[73]

*Economic performance*

78. The economic situation in the Occupied Palestinian Territory deteriorated during 2017. The economy has long suffered from restrictions on movement, access and trade that have kept investment levels extremely low and resulted in an erosion of the productive base. Substantial amounts of financial assistance from the international community have helped mitigate the impact of the restrictions on growth by fuelling public and private consumption. The most recent data revealed growth of 2.4 per cent in 2017, led by the West Bank; in Gaza, it was a mere 0.5 per cent.[74]

79. Estimates of constant-price GDP and GDP per capita for the West Bank in the fourth quarter of 2017 stood at 8.4 per cent and 6.0 per cent, respectively, higher than in the fourth quarter of 2016. For Gaza, however, they were 2.9 per cent and 6.9 per cent lower, respectively.[75] Deterioration of infrastructure, cuts in expenditure by the

[70] Yesh Din, "The great drain: Israeli quarries in the West Bank — high court sanctioned institutionalized theft", position paper (September 2017), introduction.

[71] World Bank, "Area C and the future of the Palestinian economy" (2 October 2013), paras. 30 and 31. Available from openknowledge.worldbank.org/bitstream/handle/10986/16686/AUS29220REPLAC0EVISION0January02014.pdf.

[72] United Nations and State of Palestine, "United Nations Development Assistance Framework State of Palestine 2018–2022", situation analysis; and Office for the Coordination of Humanitarian Affairs, "2018 humanitarian needs overview", p. 17.

[73] Office for the Coordination of Humanitarian Affairs, "2018 humanitarian needs overview", p. 8.

[74] World Bank, "Economic monitoring report to the Ad Hoc Liaison Committee: 19 March 2018", chap. I.A.

[75] Information based on ESCWA calculations, based on Palestinian Central Bureau of Statistics data, available from www.pcbs.gov.ps/portals/_pcbs/PressRelease/Press_En_29-3-2018-qna-en.pdf.

Palestinian Authority, the continuing closure and internal Palestinian division have affected the growth performance of Gaza.[76]

80. The rates of economic growth in the Occupied Palestinian Territory will be insufficient to remedy economic imbalances and meaningfully improve living standards in the coming years.[77] Post-2014 growth represents a reconstruction boom and catch-up rather than expansion into new economic sectors. The situation is worsened by low public and private investment.

81. Projections by the International Monetary Fund indicate that growth will be 3 per cent in 2018 (2.7 per cent for the West Bank and 4.0 per cent for Gaza),[78] as Israeli restrictions on the movement of goods, labour and persons affect the economy and the financial sector, and as aid inflows remain low. Liquidity constraints and fewer economic buffers are holding back consumption and investment, most acutely in Gaza.[58]

82. Regarding fiscal performance, net revenues were up by 7.3 per cent in the first half of 2017 compared with the same period in 2016. Yet, a budget deficit of 8.4 per cent of GDP is still anticipated for 2017, with falling donor transfers putting further pressure on government finances.[79] Inflation is projected to be 1.2 per cent in 2017, following the deflation of 2016. Macroeconomic indicators are vulnerable to restrictive measures imposed by Israel and other risk factors.

83. Labour market conditions in the Occupied Palestinian Territory remain poor, reflecting demographic pressures, economic stagnation and barriers imposed in connection with the occupation. Across the four quarters of 2017, unemployment rose by 0.4 per cent, 2.1 per cent and 0.8 per cent, and then fell by 1.2 per cent,[80] compared with the same quarters in 2016, peaking at 29.2 per cent in the third quarter. As of the fourth quarter of 2017, the unemployment rate was 19.5 per cent for men, 43 per cent for women and 40.7 per cent for those aged 20–24 years.[81] Unemployment in the West Bank stood at 13.7 per cent, compared with a staggering 42.7 per cent in Gaza. This figure reflects the severe conditions in Gaza and persistent limited opportunities there. Furthermore, workers from Gaza have continued to be prevented from accessing work in Israel since 2007.

84. The poverty rate measured by the national poverty line increased from 26 per cent in 2011 to 29 per cent in 2017 in the Occupied Palestinian Territory. In Gaza, the rate was very high, at 54 per cent.[82]

85. According to the multidimensional child poverty analysis developed by the United Nations Children's Fund (UNICEF), 65.7 per cent of children are counted as deprived with regard to two or more indicators in the Occupied Palestinian Territory, with all children in Gaza deprived with regard to at least two dimensions (see E/ESCWA/EDID/2017/2).

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[76] International Monetary Fund, "West Bank and Gaza: report to the Ad Hoc Liaison Committee" (31 August 2017).

[77] Ibid.

[78] Ibid.

[79] Ibid.

[80] Information based on ESCWA calculations, based on Palestinian Central Bureau of Statistics data.

[81] State of Palestine, Palestinian Central Bureau of Statistics, "Labour force survey results fourth quarter (October–December, 2017) round main results", press release (13 February 2018). Available from www.pcbs.gov.ps/site/512/default.aspx?lang=en&ItemID=3050.

[82] Preliminary data provided by Palestinian Central Bureau of Statistics.

*Food security*

86. Common drivers of food vulnerability in the Occupied Palestinian Territory include restrictions imposed by Israel on the movement of goods and people; a stunted economy that results in a persistently high unemployment rate, especially in the Gaza Strip; restrictions on accessing available natural resources; and the inability of the Palestinian Authority to play a regulatory role in locations outside Areas A and B, which constitute the majority of the Occupied Palestinian Territory.[83] Poor food utilization as a result of the poor quality of water, sanitation and hygiene, limited access to health care and the declining quality of diets also contribute to food insecurity.

87. Approximately 1.6 million Palestinians (31.5 per cent of the population) are considered food insecure. The prevalence is particularly high in the Gaza Strip, with 40 per cent of households found to be food insecure, more than three times the rate in the West Bank (13 per cent).[84] A food security crisis in the Gaza Strip has been averted only by large-scale humanitarian assistance. More than 70 per cent of residents received international aid in 2016, the bulk of which was food assistance. Yet, approximately half of the Palestinian population suffered from more than one micronutrient deficiency.[85]

88. Palestinian refugees have higher levels of severe and moderate food insecurity than non-refugees. Refugee camps have the highest prevalence of food insecurity. Two in every five households (35.9 per cent) in refugee camps were food insecure in 2016.[86] The food insecurity rate for refugees in the West Bank stood at 15.1 per cent, and 41.3 per cent in the Gaza Strip. [87]

89. The population receiving UNRWA food aid increased from approximately 80,000 people in 2000 to more than 993,000 in 2017. Since March 2017, monthly salaries of Palestinian public employees based in Gaza have been cut by between 30 and 40 per cent, forcing additional families to apply for already stretched UNRWA relief services.[88]

90. The prevalence of food insecurity among female-headed households is higher than among male-headed households. In the Gaza Strip, 46 per cent of female-headed households are severely and moderately insecure, while for male headed households the rate stands at 39 per cent. In the West Bank, these figures are 31 per cent and 11 per cent, respectively.[89]

91. The food insecurity level among Bedouins and herding communities in Area C worsened between 2012 and 2016, with the rate increasing to 61 per cent from 55 per cent. The percentage of food secure households dropped from 20 per cent to 6 per cent during the same period.[90]

[83] Office for the Coordination of Humanitarian Affairs, "2018 humanitarian needs overview", p. 37.

[84] Information received from FAO; and Office for the Coordination of Humanitarian Affairs, "2018 humanitarian needs overview", p. 3.

[85] Information received from the World Food Programme (WFP). See also WFP, "Nutrition awareness sessions in Palestine" (November 2016). Available from http://documents.wfp.org/stellent/groups/public/documents/communications/wfp288670.pdf.

[86] Information received from FAO.

[87] Office for the Coordination of Humanitarian Affairs, "2018 humanitarian needs overview", p. 34; and information received from WFP.

[88] Information received from UNRWA.

[89] Office for the Coordination of Humanitarian Affairs, "2018 humanitarian needs overview", pp. 34–35; and information received from FAO.

[90] Information received from WFP.

*Education*

92. An estimated 490,145 schoolchildren (of which 249,147 were girls) across the Occupied Palestinian Territory face challenges in accessing quality education in a safe, child-friendly environment.[91]

93. A coercive environment prevails for students in the West Bank, caused by violence and harassment and intimidation by Israeli military and security forces, as well as settlers, including attacks and threats against schools, students and teachers.[92] Families resort to leaving their homes to ensure safe access to education for their children elsewhere.[93]

94. In the first half of 2017, there were incidents reported in which Israeli forces fired tear gas and rubber bullets at students and made incursions onto school grounds. An increased number of attacks on schools was recorded in the first half of 2017 in Area C, the Hebron H2 area and East Jerusalem. In the West Bank, children are often subjected to bag and body searches, and at times harassment and detention, notably as they pass through checkpoints. In particular, in some areas students also faced risks of intimidation and violence from settlers while walking past settlements. Students often must walk up to 10 km to get to and from school, putting their safety at risk. Girls in particular have been reported to face a high risk of school dropout owing to the fear of parents for their safety during the school commute. The lack of accountability for the perpetrators of such violations exacerbates these conditions, and the trend of attacks against education is increasing across the West Bank.[94]

95. In East Jerusalem, nearly 2,000 new classrooms are needed to address the needs of the Palestinian population, according to official Israeli data. Local education is impaired by inadequate infrastructure owing to the discriminatory and restrictive planning and zoning regime and by a lack of qualified teachers and other staff, owing to the difficulty for those living in the West Bank of obtaining a permit to access East Jerusalem. Palestinian children attending schools in East Jerusalem have to study a version of the Palestinian curriculum modified by Israel with the reported aim of censoring "incitement".[95]

96. Forty-four Palestinian schools (36 in Area C and 8 in East Jerusalem) serving about 5,000 children are at risk of demolition or seizure because of a lack of Israeli building permits.[96]

97. In the Gaza Strip, two thirds of schools currently operate on double or triple shifts in order to accommodate the number of students. Consequently, the number of learning hours per school day has been reduced to 4.5 (compared with 5.5 in the West Bank).[97]

98. Owing to funding shortfalls and a lack of suitable land to build schools, UNRWA reports that 70.2 per cent of its schools, and their 271,000 students, continue to operate on a double-shift basis, which deprives refugee children of opportunities to engage in the recreational and creative pursuits enjoyed by students of single-shift schools.[98]

[91] Office for the Coordination of Humanitarian Affairs, "2018 humanitarian needs overview", p. 38.
[92] Information received from UNICEF; and Office for the Coordination of Humanitarian Affairs, "2018 humanitarian needs overview", p. 39.
[93] Office for the Coordination of Humanitarian Affairs, "2018 humanitarian needs overview", p. 39.
[94] Ibid., pp. 38–39.
[95] Information received from UNICEF.
[96] Office for the Coordination of Humanitarian Affairs, "Humanitarian bulletin: Occupied Palestinian Territory" (February 2018).
[97] Information received from UNICEF.
[98] Information received from UNRWA.

99. The unprecedented financial shortfall of UNRWA could have a severe impact on its ability to deliver primary education and schooling services to Palestine refugee students in the Occupied Palestinian Territory. Shrinking funding also limits the capacity of the United Nations Educational, Scientific and Cultural Organization (UNESCO) to support quality education in Gaza.[99]

*Public health*

100. The closure in Gaza coupled with intra-Palestinian division continues to present major challenges to the availability and quality of health care in the Gaza Strip, and to access to health care for patients and health workers residing outside Gaza. Living conditions in Gaza, especially overcrowded and substandard housing, further heighten public health risks associated with the deteriorating water, sanitation and hygiene conditions. The situation is particularly precarious for refugees in camps where the average population density is nearly 40,000 persons per $km^2$.[100] Nearly 300,000 Palestinian children in Gaza require some form of mental health support or psychosocial intervention.[101]

101. Shortages of medical supplies, machines, drugs and disposables owing to funding shortages, as well as a lack of staff, place 10,000 newborns at risk and contribute to the stagnant 14 per 1,000 neonatal mortality rate. An estimated 140,000 children under the age of 5 in Gaza are suffering from chronic malnutrition and stunting.[102]

102. The energy crisis in Gaza has undermined basic services and compounded serious public health concerns. Hospitals have had to postpone surgeries, discharge patients prematurely and reduce the cleaning of medical facilities.[103] The Beit Hanoun hospital, which normally serves more than 300,000 people in northern Gaza, halted medical services at the end of January 2018 because of a lack of fuel reserves.[96]

103. During 2017, a monthly average of 38 per cent of items on the list of essential medicines and 31 per cent of items of the list of essential medical disposables were reported to be at less than a month's supply in Gaza. Lack of facilities for essential treatments and of adequate investigation technologies drive a reliance on medical referral outside Gaza, especially for oncology. Patients referred out of Gaza are dependent on access via the Erez crossing to facilities in East Jerusalem (53 per cent), Israel (22 per cent) and the West Bank (17 per cent).[104]

104. Health workers are eligible to apply for permits to enter and leave Gaza. In practice, staff face substantial access barriers; and only 61 per cent of those applying for permits to exit or enter Gaza for humanitarian purposes through WHO obtained access in 2017.[105]

105. The fragmentation of the West Bank undermines the right of Palestinians to health. Over 260,000 Palestinians living in Area C, the Hebron H2 area and the seam zone are dependent on humanitarian health care, including approximately 64,000 women of reproductive age, more than 34,000 children under the age of 5 and more

[99] Information received from UNESCO.
[100] Information received from UNRWA.
[101] Office for the Coordination of Humanitarian Affairs, "2018 humanitarian needs overview", p. 7.
[102] Ibid., p. 31.
[103] Information received from UNICEF.
[104] Information received from WHO.
[105] Ibid., citing its monthly report on referral of patients from the Gaza Strip for December 2017, available from www.emro.who.int/pse/publications-who/monthly-referral-reports.html.

than 85,000 children aged 5–19 years. Other vulnerable groups include disabled and elderly people.[106]

106. Approximately 17 per cent of Palestinians in Area C are served by mobile clinics,[107] whose services are affected by road closures and adverse weather events. About 12 per cent of residents in Area C live in communities situated more than 30 km from a primary health-care clinic and without access to any mobile health clinic.[108]

107. About 30 per cent of refugees living in West Bank camps, where the average population density is around 40,000 persons per $km^2$, but can reach 130,000-180,000 per $km^2$ in some camps, face health risks as a result of severe overcrowding and inadequate sewage and water networks.[109]

108. West Bank health facilities also face shortages of medical supplies, notably as a result of funding shortages, with an average of 23 per cent of essential medicines and 19 per cent of essential medical disposables out of stock in West Bank central drug facilities in 2017.[110]

109. Areas of East Jerusalem beyond the "barrier" suffer in view of the unwillingness of Israeli ambulances to service them without police escort, citing security incidents, while Palestinian ambulances are not allowed to cross the "barrier" (see A/HRC/37/43, para. 58). There are pockets of acutely vulnerable communities in East Jerusalem, with approximately 119,000 people suffering from mental health conditions and a lack of essential health and emergency care.[111]

110. A recently published study by the United Nations Population Fund (UNFPA), in cooperation with the Palestinian Ministry of Health, found that around 60 per cent (643 women) of the breast cancer patients who died in 2016 died prematurely owing to various factors, including delayed diagnosis and treatment in the Occupied Palestinian Territory. The study found that in such cases restrictions on access to the West Bank and Israel were a major factor for Palestinian patients, including patients in Gaza.[112]

## III. Occupied Syrian Golan

111. In its resolution 497 (1981), the Security Council decided that the Israeli decision to impose its laws, jurisdiction and administration on the occupied Syrian Golan was null and void and without international legal effect, and demanded that Israel, the occupying Power, should rescind forthwith its decision. It determined that all the provisions of the Fourth Geneva Convention continued to apply to the Syrian territory occupied by Israel since June 1967.

112. An estimated 23,000 Israeli settlers live in 34 illegal settlements in the occupied Syrian Golan. The Government of Israel supports settlement activity through financial incentives (see A/72/564, para. 60). According to the Syrian Arab Republic, 150 Israeli families settle in the Golan each year (see A/HRC/37/40, para. 11), as part of

[106] Office for the Coordination of Humanitarian Affairs, "2018 humanitarian needs overview", p. 32, based on its health cluster data for 2017 and Vulnerability Profile of Palestinian Communities in Area C project.

[107] See https://public.tableau.com/profile/ocha.opt#!/vizhome/Health-VPP/Dashhealth; and information received from WHO.

[108] Information received from WHO.

[109] Information received from UNRWA.

[110] Information received from WHO.

[111] Office for the Coordination of Humanitarian Affairs, "2018 humanitarian needs overview", p. 30.

[112] UNFPA, *Pathway to Survival: The Story of Breast Cancer in Palestine* (January 2018), available from http://palestine.unfpa.org/sites/default/files/pub-pdf/Breast%20Cancer%20Report%20Final_0.pdf.

attempts to foster the overall integration of the occupied Syrian Golan into Israel and delink it from the Syrian Arab Republic.[113]

113. An estimated 25,000 Syrians reside in five villages and face significant challenges in terms of growth and development, owing in part to restricted access to land and resources (see A/72/564, para. 60). The majority of the native Syrian population reportedly reject Israeli citizenship, hold a form of permanent residency and are considered by the Israeli authorities as having an "undefined" nationality. They are provided with only an Israeli "laissez-passer" if they wish to travel.[114]

114. Permanent residents can apply for full Israeli citizenship but they can also have their permanent residency status revoked following travel and residency abroad for study or work. Around 100 Syrian residents of the occupied Syrian Golan have had their permanent residency status revoked since 1982.[115]

115. Israeli settlers and the army control 95 per cent of the land in the occupied Syrian Golan, leaving only 5 per cent to the Syrian population.[116] The Syrian Arab Republic has reported confiscation by Israel of approximately 28 per cent of the agricultural lands (see A/HRC/37/40, para. 17).

116. Syrians in the occupied Syrian Golan face land, housing and development policies established by the Israeli authorities that render it nearly impossible for them to obtain building permits, resulting in overcrowded Syrian villages with strained infrastructure and limited resources (see A/72/564, para. 61). These conditions reportedly force Syrians to build homes without building permits and place them at risk of full or partial demolition and large fines ($55-$85 per $m^2$).[117]

117. The Syrian Arab Republic reports that Israeli authorities impose disproportionately high taxes on Syrians for requests for utility services (see A/HRC/37/40, para. 14). Furthermore, obstacles to construction hinder the ability of Syrian citizens to benefit from tourism.[118]

118. Israeli settlers also benefit from a disproportionately larger allocation of natural resources, such as clean water (see A/72/564, para. 60; see also A/HRC/28/44, para. 54; and A/HRC/31/43, para. 64).

119. Discriminatory water allocation policies exacerbate the challenges faced by Syrian farmers, including competition from Israeli settlers.[119] Access to the water supply is limited for Syrian farmers owing to the Israeli prohibition on building new wells. Half of the water needed for farming therefore has to be purchased from the Israeli water company.[113]

120. Syrians tend to avoid abandoning agriculture, as there is reportedly a risk that the authorities would confiscate their unused land.[120] Furthermore, according to the Syrian Arab Republic, Israeli authorities restrict Syrian usage of land for farming to 45,000 acres of land, while Israeli settlers are allowed to utilize 350,000 acres of land.

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[113] International Labour Office, *The Situation of Workers of the Occupied Arab Territories* (Geneva, 2017), paras. 121–127.

[114] Al-Marsad, the Arab Centre for Human Rights in the Golan Heights, "Human rights violations committed by the State of Israel in the Occupied Syrian Golan", submission to the United Nations universal periodic review of Israel, June 2017, para. 21.

[115] Ibid., para. 22.

[116] Al-Marsad, the Arab Centre for Human Rights in the Golan Heights, "50 years of the occupation of the Syrian Golan", press release (8 June 2017).

[117] Al-Marsad, the Arab Centre for Human Rights in the Golan Heights, "Human rights violations committed by the State of Israel in the Occupied Syrian Golan", para. 7.

[118] Information received from the International Labour Organization (ILO).

[119] Information received from ILO.

[120] Ibid.

The Syrian Arab Republic further stated that the right of Syrians to work was restricted in the occupied Syrian Golan (see A/HRC/34/37, para. 24).

121. Israeli efforts to clear mines are reported to prioritize areas around Israeli settlements and agricultural land over Syrian residential and agricultural zones, despite the concentration of landmines in the latter.[121]

122. In July 2017, the Ministry of the Interior of Israel announced that, for the first time since 1967, elections would be held on 30 October 2018 in four towns: Buq'ata, Mas'adah, Majdal Shams and Ayn Quniyah.[122]

## IV. Conclusion

123. The 51-year Israeli occupation has had a detrimental effect on the social and economic development of the people in the Occupied Palestinian Territory and the occupied Syrian Golan. The impact of the prolonged occupation and the policies and practices of Israel on the Palestinian people, society and economy is multilayered and has accumulated negative effects over the years. The funding crisis that UNRWA is facing is another factor that only exacerbates the conditions of hundreds of thousands of Palestinians who already live in harsh conditions.

124. A number of Israeli practices and measures in the Occupied Palestinian Territory and the occupied Syrian Golan are contrary to the relevant Security Council resolutions, international humanitarian law and international human rights law. Some of them may be considered discriminatory. Certain practices may amount to forcible transfer of protected persons, which could amount to a grave breach of the Fourth Geneva Convention, and others could amount to collective punishment.

125. Adherence to international law is an absolute imperative, ensuring that no party enjoys impunity and securing justice and peace for all those living in the region, including those Palestinians and Syrians living under occupation.

126. Humanitarian and development efforts are key to alleviating the suffering of the Palestinians and Syrians under occupation. Nevertheless, cycles of violence will not end until the roots of such violence are addressed. The United Nations maintains its long-standing position that a lasting and comprehensive peace can be achieved only through a negotiated two-State solution. The Secretary-General will continue to work towards the attainment of this just and lasting peace. It is only by realizing the vision of two States living side-by-side in peace, security and mutual recognition, with Jerusalem as the capital of Israel and Palestine, and all final status issues resolved permanently through negotiations, that the legitimate aspirations of both peoples will be achieved.

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[121] Al-Marsad, the Arab Centre for Human Rights in the Golan Heights, "Human rights violations committed by the State of Israel in the Occupied Syrian Golan", para. 13.

[122] Noa Shpigel, "In first since 1967, Druze villages in Israeli Golan Heights to hold democratic elections", *Haaretz*, 8 July 2017. Available from www.haaretz.com/israel-news/.premium-in-first-since-1967-israeli-druze-to-hold-democratic-elections-1.5492306.